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ORDINANCE NO. 2014 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING SECTION 22-22, LAKE COUNTY CODE, TO INCREASE THE EDUCATIONAL IMPACT FEES TO 75% OF THE RATE RECOMMENDED IN THE ADOPTED IMPACT FEE STUDY DATED JUNE 7, 2011, TO BE EFFECTIVE APRIL 6, 2015; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in Ordinance No. 2013-55, the Board of County Commissioners did impose an Educational Impact Fee at a rate that was twenty-five percent (25%) of the adopted Impact Fee Study, prepared by Henderson Young & Company, dated June 7, 2011; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida as follows:

Section 2. **Amendment.** Section 22-22, Lake County Code, entitled ‘Imposition,’ is hereby amended to read as follows:

(a) The imposition of educational impact fees on new development shall be suspended for a period beginning retroactively on January 1, 2011 and extending through January 12, 2014. The suspension shall not apply to pre-payments, deferral agreements unless the agreement specifically allows, or the use of impact

fee credits. Refunds of the educational impact fee shall be issued to the current owner of record for fees paid on a permit issued on or after January 1, 2011.

(b) ~~Effective January 13, 2014, a~~All residential construction occurring within the county, both within the unincorporated area and within the municipalities, shall pay the following educational system impact fees:

Single-family detached house, per dwelling unit	\$2,573.10 <u>7,719.00</u>
Multi-family dwelling unit, per dwelling unit	\$1,545.25 <u>4,636.00</u>
Mobile home, per dwelling unit	\$845.50 <u>2,537.00</u>

Section 3. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 4. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of Florida.

Section 6. Directions to the Clerk of Court. The Clerk of Court is hereby directed to hold in escrow the Educational Impact Fees collected after the effective date of this ordinance until such a time as the School Board of Lake County, Florida presents to the Board of County Commissioners an updated Impact Fee Study which justifies the rates established herein.

Section 7. Effective. This Ordinance shall become effective as of April 6, 2015.

Enacted this _____ day of _____, 2014.

Filed with the Secretary of State _____, 2014.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Jimmy Conner, Chairman

This ____ day of _____, 2014.

Approved as to form and legality:

Sanford A. Minkoff
County Attorney